

THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON MARCH 3, 2010, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. LET THE RECORD SHOW THAT COMMISSIONER PROUD WAS ABSENT THIS DATE. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 1:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.

IN RE: BOARD OF COUNTY COMMISSIONERS...RESOLUTION NUMBER 36-10/PAYMENT OF BILLS...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation that the Board of County Commissioners adopt Resolution Number **36-10** resolving to approve payment to vendors **in the total amount of \$1,414,702.20** as set forth in the General Ledger Distribution Report(s) and Procurement Card Transaction Report presented by the County Auditor **03/01/10**, and further authorizing the County Auditor to issue warrants for same pursuant to Section 319.16 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: OFFICE OF ECONOMIC DEVELOPMENT...RESOLUTION NUMBER 37-10/RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS TO CLERMONT COUNTY CIC, INC. TO DEFRAY EXPENSES IN CONNECTION WITH A PROJECT TO BE LOCATED IN CLERMONT COUNTY, OHIO, FOR THE BENEFIT OF IRG BATAVIA I, LLC...10-0303-001...ADOPTED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Andrew T. Kuchta, Director, Office of Economic Development, with the concurrence of David L. Spinney, County Administrator, to adopt Resolution Number **37-10** resolving to transfer funds, in the amount of \$2,000,000.00, to Clermont County CIC, Inc. (CIC), for use as part of its expenses in promoting economic development in Clermont County, Ohio, specifically in its assistance to defray expenses in connection with a Project to be located in Clermont County, Ohio, for the benefit of IRG Batavia I, LLC (IRG), with CIC to repay the County all funds received by the CIC from the Ohio Enterprise Bond Fund (OEBF) Trustee for the financing of said Project, or from IRG or its principals. within sixty (60) days of receipt thereof, pursuant to and in compliance with the American Recovery and Reinvestment Tax Act of 2009 (the Stimulus Act) and Resolution Number 201-09, ratified by the Board on 10/28/09, which designates the entire area of Clermont County as a Recovery Zone for purposes of the Stimulus Act therefore and further to authorize Linda L. Fraley, County Auditor, to issue the warrant in the amount of \$2,000,000.00 to the Clermont County CIC, Inc. forthwith as stated therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
DIVISION OF PUBLIC SAFETY SERVICES...ACCEPTANCE
AGREEMENT AND CONDITIONS FOR THE HAZARDOUS**

**MATERIALS EMERGENCY PREPAREDNESS (HMEP) GRANT
PROGRAM FOR THE 17TH YEAR GRANT FUNDING THROUGH THE
OHIO STATE EMERGENCY RESPONSE COMMISSION (SERC) FOR
PLANNING AND TRAINING GRANT FUNDING FOR THE LOCAL
EMERGENCY PLANNING COMMITTEE (LEPC)...09-0901-
003...RATIFIED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications, and Security, with the concurrence of David L. Spinney, County Administrator, to authorize Beth Nevel, Emergency Coordinator, to execute the Acceptance Agreement and Conditions for the Hazardous Materials Emergency Preparedness (HMEP) Grant Program for the 17th Year Grant Funding through the Ohio State Emergency Response Commission (SERC), P.O. Box 1049, 50 West Town Street, Suite 700, Columbus, Ohio 43216-1049, in conjunction with the Ohio Emergency Management Agency (OEMA) and the State Fire Marshal’s Office, for Planning and Training Grant Funding for the Local Emergency Planning Committee (LEPC) in the amounts as outlined below, with the required local matches to be provided from the Special Emergency Plan Fund, effective 10/01/09 through 09/30/10, pursuant to and in compliance with the terms and conditions set forth therein and in concert with the Grant Application ratified by the Board of County Commissioners on 09/09/09:

Grant Program	Federal Grant Amount	Local Match	Total Grant Amount
Planning	\$5,144.00	\$1,286.00	\$6,430.00
Training	\$5,652.00	\$1,413.00	\$7,065.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/
FACILITIES MANAGEMENT DEPARTMENT...AMENDMENT TO
CONTRACT FOR PROFESSIONAL SERVICES WITH SIEMENS
INDUSTRY, INC. FOR A COMPLETE DETAILED ENERGY AUDIT
AND DEVELOPMENT OF A PERFORMANCE CONTRACTING
PROGRAM IN AND AS IT RELATES TO PHASE I OF THE
COUNTYWIDE ENERGY SAVINGS PERFORMANCE PROJECT FOR
SAME...09-1102-010...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Wade Grabowski, Director, Facilities Management Department, with the concurrence of David L. Spinney, County Administrator, to execute an Amendment to the Contract for Professional Services with Siemens Industry, Inc., 1310 Kemper Meadow Drive, Suite 500, Cincinnati, Ohio 45240, for the provision of a complete detailed energy audit and development of a performance contracting program in and as it relates to Phase I of the Clermont County Countywide Energy Savings Performance Project, previously ratified by the Board of County Commissioners on 11/09/09, to approve an extension of time of forty-five (45) days for the completion thereof with a revised completion date therefore of 04/17/10 with all other terms and conditions set forth in the original contract to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
RESOLUTION NUMBER 38-10/RESOLUTION DETERMINING TO
PROCEED WITH THE CONSTRUCTION, OPERATION AND
MAINTENANCE OF PROJECT NUMBER 621-0051 RELATIVE TO THE
DAMERON LANE WATER PETITION PROJECT LOCATED WITHIN
UNION TOWNSHIP...10-0219-003...ADOPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Jeff Goetz, Project Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt Resolution Number **38-10** determining to proceed with the construction, operation and maintenance of the water petition project known as the Dameron Lane Water Petition Project located within Union Township, as set forth in Exhibit “A”, attached thereto and made a part thereof, and designated as Project Number 621-0051, and in conformance with the detailed plans, specifications, estimates of cost and financing, and tentative assessment roll as herein ratified and confirmed, all of which shall be paid from special assessment of benefited properties as identified in Exhibit “B”, attached thereto and made a part thereof, and/or special assessment bonds in anticipation of the collection thereof, with a portion of the project costs paid by the County Waterworks System Capital Improvement Fund, in full compliance with Chapter 6103 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...
GRANTS OF SEWER AND/OR WATER EASEMENTS WITH RIGHTS
OF RE-ENTRY FOR REPAIR AND REPLACEMENT HERETOFORE
GRANTED AND CONVEYED TO THE COUNTY OF CLERMONT,
OHIO, RELATIVE TO VARIOUS SEWER AND WATER PROJECTS
LOCATED IN MIAMI AND GOSHEN TOWNSHIPS...10-0219-001 AND
10-0219-002...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Carole S. Schulze, Program Manager, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to accept the following Grants of Sewer and/or Water Easements with Rights of Re-Entry for Repair and Replacement heretofore granted and conveyed to the County of Clermont, Ohio, for utility purposes of constructing, operating, maintaining, repairing, replacing, removing or reinstalling sewer and/or water utility lines and all incidental appurtenances required for the transportation of sewer and/or water in, on, under, and across the properties of the Grantors for Project Number 651-0842 relative to the Indian Lookout Sewer Trunk Line Project located in Miami Township and Project Number 621-0975 relative to the Williams Corner Area Water Tank Project located in Goshen Township, and to authorize the County Auditor to remit payments to the Grantors in the amounts as outlined below and as indicated on the Settlement Sheets attached thereto, as compensation for the Permanent and/or Temporary Easements and Rights-of-Way granted thereby and to remit payment in the amount of \$424.00 payable to J. Robert True, Clermont County Treasurer, for the recording fees required relative thereto:

Project	Grantor	Parcel Number	Compensation
Indian Lookout Sewer Trunk Line Project Project Number 651-0842 Miami Township DC# 10-0219-001	Hawley Todd, Jr. and David H. Todd, Trustee of the Hawley Todd, Jr. Family Trust Agreement dated February 14, 1993 c/o Mr. David Todd Cors & Bassett, LLC 537 East Pete Rose Way, Suite 400 Cincinnati, Ohio 45202-3578	18-25-18K-059	Perm \$1,500.00 Temp \$500.00 Total settlement amount to be paid to Hawley Todd, Jr.

	Property Location: 6240 Lewis Road		
Indian Lookout Sewer Trunk Line Project Project Number 651-0842 Miami Township DC# 10-0219-001	Hawley Todd, Jr. and David H. Todd, Trustee c/o Mr. David Todd Cors & Bassett, LLC 537 East Pete Rose Way, Suite 400 Cincinnati, Ohio 45202-3578 Property Location: Lewis Road	18-25-18K-068	Perm \$2,000.00 Total settlement to be paid to Hawley Todd, Jr.
Indian Lookout Sewer Trunk Line Project Project Number 651-0842 Miami Township DC# 10-0219-001	Sugarhill Land Company, Inc. c/o Mr. David Todd Cors & Bassett, LLC 537 East Pete Rose Way, Suite 400 Cincinnati, Ohio 45202-3578 Property Location: 6254 Lewis Road	18-25-18K-064	Perm \$74,074.00 Temp \$5,500.00
Indian Lookout Sewer Trunk Line Project Project Number 651-0842 Miami Township DC# 10-0219-001	Sugarhill Land Company, Inc. c/o Mr. David Todd Cors & Bassett, LLC 537 East Pete Rose Way, Suite 400 Cincinnati, Ohio 45202-3578 Property Location: Lewis Road	18-25-18D-272	Perm \$10,426.00
Indian Lookout Sewer Trunk Line Project Project Number 651-0842 Miami Township DC# 10-0219-001	Ruth Todd Lawrence, Trustee of the David H. Todd Family Trust Agreement dated November 23, 1989, David H. Todd, Trustee of the Ruth Todd Lawrence Family Trust Agreement dated November 23, 1989, and Ruth Todd Lawrence and Hawley Todd, Jr., Co-Trustees of the Clifford Todd Land Trust dated March 9, 1996 c/o Mr. David Todd Cors & Bassett, LLC 537 East Pete Rose Way, Suite 400 Cincinnati, Ohio 45202-3578 Property Location: Wards Corner Road	18-25-18C-231	Perm Donated
Indian Lookout Sewer Trunk Line Project Project Number 651-0842 Miami Township DC# 10-0219-001	Duke Energy Ohio, Inc. 139 East Fourth Street, Room 740 M Cincinnati, Ohio 45202 Property Location: 386 Lewis Road	18-25-18K-067	Perm Donated Temp Donated
Williams Corner Area Water Tank Project Project Number 621-0975 Goshen Township DC# 10-0219-002	Richard Hoffman and Thomas E. Hoffman 1160 State Route 28 Milford, Ohio 45150	11-22-09B-029	Perm Contractor has paid the Grantor

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

**IN RE: COUNTY ENGINEER...ACCEPTANCE OF THE CONTRACT WITH
ADVANCED CONTRACTORS & ENGINEERS, INC. FOR PROJECT
NUMBER MO-11-08 RELATIVE TO THE SOUTH ALTMAN ROAD
STABILIZATION PROJECT LOCATED IN MONROE TOWNSHIP AS
COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL
PAYMENT NUMBER 4, FINAL, FOR THE RELEASE OF RETAINAGE
RELATIVE THERETO...09-0220-003...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept the Contract by and between the County of Clermont, Ohio, and Advanced Contractors & Engineers, Inc., 115 Hosea Avenue, Post Office Box 15861, Cincinnati, Ohio 45215 for Project Number MO-11-08 relative to the South Altman Road Stabilization Project located in Monroe Township as Complete as of 08/13/09 and to approve the Estimate for Partial Payment Number 4, Final, which represents the release of retainage in the principal amount of \$6,928.48, plus all accrued interest earned thereon relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: REQUESTS FROM VARIOUS DEPARTMENTS TO JOIN PROFESSIONAL ORGANIZATIONS AND AUTHORIZATION FOR REIMBURSEMENT OF ROUTINE TRAVEL EXPENSES RELATIVE THERETO...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Requests from various departments to join professional organizations and to authorize payment of the annual dues in the amounts outlined below for membership therein, pursuant to Section 325.21 of the Ohio Revised Code and to authorize reimbursement of **routine travel expenses** associated therewith (*excluding expenses for overnight accommodations, meals for more than one day, registration fees, tuition, and/or transportation by common carrier*) pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2010 and any and all amendments subsequent thereto:

Elected Official or Department/Employee	Organization	Annual Dues	Term
Clermont County Court of Common Pleas Patricia Schwartz DC# 09-1106-001	National Association for Court Management	\$125.00	04/01/10 through 03/31/11
Clermont County Court of Common Pleas Patricia Schwartz DC# 09-1106-001	Forum on the Advancement of Court Technology (FACT)	\$35.00	04/01/10 through 03/31/11

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: BOARD OF COUNTY COMMISSIONERS...FINANCIAL/BUDGETARY ACTIONS FOR FISCAL YEAR 2010...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of the Office of Management and Budget, with the concurrence of David L. Spinney, County Administrator, to approve financial/budgetary actions pursuant to Ohio Revised Code Section 5705.40 as they relate to changes in the Annual Appropriation Resolution for Fiscal Year 2010 (Resolution Number 211-09) and/or interfund transactions as outlined in the following table(s) and to authorize Linda Fraley, County Auditor, to properly record same:

SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2010:

\$ 58,003.00	General Fund Prosecutor’s Civil Division	100	1042	5112	Regular Salary
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\$ 19,829.00	General Fund Prosecutor’s Civil Division	100	1042	5132	Retirement Payout
\$ 40,000.00	Accounting & Payroll/HR System Fund	436	1029	5300	Purchased Services
\$ 115,000.00	Accounting & Payroll/HR System Fund	436	1029	5700	Materials & Supplies
\$ 83,000.00	Accounting & Payroll/HR System Fund	436	1029	6600	Capital Outlay

BUDGET TRANSFER OF FUNDS:

AMOUNT	FROM			TO	
\$ 3,000.00	Public Assistance Fund	204-6240- 5300	DJFS Administration – Purchased Services	204-6245- 5300	Workforce Investment Act – Purchased Services
\$ 2,000,000.00	Planning & Development Fund	418-7019- 6600	Capital Outlay	418-7019- 5300	Purchased Services
\$ 5,000 .00	Health Insurance Fund	810-8600- 5200	Fringe Benefits	810-8602- 5300	Wellness Program – Purchased Services

CASH TRANSFER OF FUNDS:

AMOUNT	FROM	TO
\$ 50,000.00	General Fund 100-4018-7220-0232	Narcotics Unit Fund 232-0232-4811

REIMBURSEMENT OF FUNDS:

AMOUNT	FROM	TO
\$ 763.05	Public Assistance Fund 204-6240-7220	Children Services Fund 208-0208-4821
\$ 39,593.95	Public Assistance Fund 204-6240-7220	Children Services Fund 208-0208-4821
\$ 96,806.68	Child Support Enforcement Administration Fund 228-6180-7220	Public Assistance Fund 204-0204-4821
\$ 55,594.66	Child Support Enforcement Administration Fund 228-6180-7220	Public Assistance Fund 204-0204-4821
\$ 311,720.11	Children Services Fund 208-6242-7220	Public Assistance Fund 204-0204-4821

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: TRAINING AND TRAVEL REQUESTS...REIMBURSEMENT OF EXPENSES RELATIVE TO SAME...APPROVED

Moved by Mr. Croswell, seconded by Mr. Humphrey, that the Board of County Commissioners approve the following recommendation:

Recommendation of David L. Spinney, County Administrator, to approve the following requests for reimbursement of expenses for training and travel pursuant to the policies and procedures of the Board and in compliance with the Annual Appropriations for Fiscal Year 2010 and any and all amendments subsequent thereto:

CLERMONT COUNTY COURT OF COMMON PLEAS

Judge Jerry McBride: Seven (7) days – Chicago, Illinois – Northwestern Law “Economics Institute for Judges” – Total expenses not to exceed \$699.00.

COMMON PLEAS CLERK OF COURTS

Alice Fricke, Shirley Williamson and Barbara Wiedenbein: Two (2) days – Columbus, Ohio – Clerk of Courts Association Monthly Meeting – Total expenses not to exceed \$824.00.

COUNTY SHERIFF

Dominick Donovan and Eric Goodman: Seven (7) days – Glynco, Georgia – The United States Marshals Service State and Local Court Security Seminar – Total expenses not to exceed \$1,468.00.

Dorothy Rhorer and Gerri Bolton: One (1) day – Fairfield, Ohio – Premier Regional Foodservice Meeting – Total expenses not to exceed \$0.00.

COUNTY ENGINEER

Rob Alfieri, Wendell Wehrum, Todd Slone, Mike McKibben, Willie Turner and Kenneth Woodmansee: One (1) day – Liberty Township, Ohio – American Public Works Commission First Annual Southwest Ohio Snow and Ice Control Conference – Total expenses not to exceed \$150.00.

Mike Lober: Two (2) days – Columbus, Ohio – County Engineers Association of Ohio 2010 Ohio Storm Water Management and Drainage Conference – Total expenses not to exceed \$490.00.

DEPARTMENT OF JOB AND FAMILY SERVICES

Kimberlee Swearingen: Two (2) days – Columbus, Ohio – Ohio Department of Job and Family Services Statewide Automated Child Welfare Information System (SACWIS) Training Course – Total expense not to exceed \$165.00.

CLERMONT COUNTY WATER RESOURCES DEPARTMENT

Bill Flick, David Linville, Ed Weigel, Jim Pindell, David Pigg and Terry Stockelman: One (1) day – Xenia, Ohio – Southwest Ohio Water Environment Association's Section Meeting – Total expenses not to exceed \$120.00.

William Johnson: One (1) day – Columbus, Ohio – Environmental Resource Associates Discharge Monitoring Reports-Quality Assurance Training Seminar – Total expenses not to exceed \$165.00.

BOARD OF COUNTY COMMISSIONERS

Scot Lahrmer: One (1) day – Cincinnati, Ohio – Clermont 20/20 Inc. 20th Year Anniversary Business Luncheon – Total expenses not to exceed \$10.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Humphrey, Aye; Mr. Proud, Absent.

IN RE: PERSONNEL ACTION FORMS...APPROVED

* THE OFFICIAL RECORD OF PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, RELATIVE TO PERSONNEL ACTIONS IS AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST MONDAY THROUGH FRIDAY BETWEEN THE HOURS OF 8:00 A.M. TO 4:30 P.M. LOCAL TIME.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Work Session of **02/03/10** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That a motion by Mr. Croswell, seconded by Mr. Humphrey, to approve the minutes of Regular Session of **03/03/10** carried with all members present voting affirmatively thereon.

LET THE RECORD SHOW: That the Vice President of the Board of County Commissioners,

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noting no further business to come before the commission for legislative action, adjourned this Regular Session at 1:32 P.M.

**BOARD OF COUNTY COMMISSIONERS
CLERMONT COUNTY, OHIO**

**ROBERT L. PROUD, PRESIDENT
EDWIN H. HUMPHREY, VICE PRESIDENT
R. SCOTT CROSWELL III, MEMBER**

JUDITH KOCICA, CLERK OF THE BOARD

DATE APPROVED – 03/03/10